

SULLIVAN, S.

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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DATE FILED: <u>10/19/07</u>

FRANK BILELLO, individually and on behalf of all :
others similarly situated,

Plaintiff, : Case No.: 07-CV-7379(RJS) (RJS)

vs. :

JPMORGAN CHASE RETIREMENT PLAN,
JPMORGAN CHASE DIRECTOR OF HUMAN
RESOURCES, as administrator of the JPMorgan
Chase Retirement Plan,

Defendants. :

X

STIPULATION AND PROPOSED ORDER EXTENDING TIME

WHEREAS, Plaintiff commenced this action by filing a Class Action Complaint on August 17, 2007;

WHEREAS, Defendants executed a Waiver of Service of Summons pursuant to which Defendants' time for responding to the Complaint expires on October 19, 2007;

WHEREAS, Defendants intend, pursuant to the Court's Individual Practice rule, to request a pre-motion conference in connection with an anticipated motion to dismiss the Complaint;

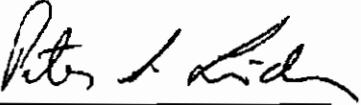
IT IS HEREBY STIPULATED AND AGREED by and between the parties herein through their undersigned counsel that:

1. Defendants' time to respond to the Complaint is extended until November 2, 2007.
2. If Defendants' response takes the form of a motion to dismiss, Plaintiff's response to that motion may be filed on or before December 14, 2007, and Defendants' reply may be filed on or before January 8, 2008.

3. This is the Parties' first request for an extension.

Dated: October 17, 2007

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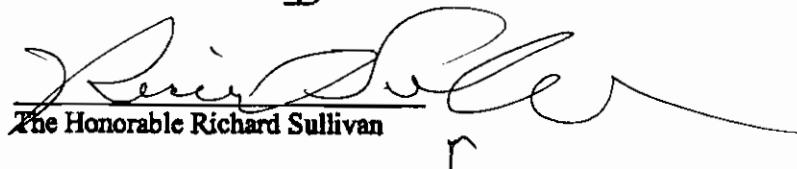
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Attorneys for Defendants

So Ordered on October 19, 2007


The Honorable Richard Sullivan
r

All motions must be filed in accordance with this Court's Individual Practices. Pursuant to Individual Practices 2.A, pre-motion letters are due October 26, with a response from the non-moving party due by October 30, so that the parties may adhere to this briefing schedule.